

REMARKS

Claims 1-25 are currently pending. Applicants wish to thank the Examiner for the indication of allowable subject matter in claims 11-25. No new matter has been added.

Rejections under 35 U.S.C. § 112

Claims 1-10 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Specifically, the Examiner stated that “the specification does not suggest the particular range, i.e. ‘greater than 15% of the maximum height of the selected central body.’” Applicants respectfully traverse these rejections.

As seen in Table 2 on page 17 of the specification as-filed, numerous exemplary combinations of shaft height (or central body height), first end cap height, and second end cap height are disclosed. In this particular Table, all combinations of a shaft (central body), first end cap, and second end cap result in an arrangement wherein “the combination of the maximum height of the selected top end cap and the selected bottom end cap is greater than 15% of the maximum height of the selected central body.” The closest arrangement to 15% exists in the sixth arrangement from the bottom — with a shaft (central body) height of 34 mm, a first end cap height of 3 mm, and a second end cap height of 3 mm. The result of this arrangement is that the total end cap height 6 mm, which is greater than 15% of the height of the central body (34 mm).

Therefore, Applicants respectfully submit that, *inter alia*, the combinations disclosed in Table 2 provide adequate description to reasonably convey to one of skill in the art that the inventors were possessed of a skeletal reconstruction cage wherein “the combination of the maximum height of the selected top end cap and the selected bottom end cap is greater than 15% of the maximum height of the selected central body,” and therefore claims 1-10 are supported by the specification as-filed.

CONCLUSION

It is believed that claims 1-25 are in condition for allowance.

No fee(s) are believed to be due at this time. Should any fee(s) be due, please charge such fee(s) to Jones Day deposit account no. 503013.

Respectfully submitted,

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